

into the State of New York, charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Nishna Frozen Eggs Mixed \* \* \* Malvern Cold Storage Company, Malvern, Ia."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 28, 1928, W. W. Elzea, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond, or the deposit of cash, in the sum of \$1,800, conditioned in part that the said product be salvaged by separating the good eggs from the bad and destroying or denaturing the latter.

W. M. JARDINE, *Secretary of Agriculture.*

**15414. Adulteration of shelled almonds. U. S. v. 16 Bags of Shelled Almonds. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22279. I. S. No. 21667-x. S. No. 326.)**

On December 12, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 bags of shelled almonds, imported on Dec. 27, 1926, remaining in the original unbroken packages at New York, N. Y., consigned by Raphael H. Elmaleh, Mogador, Morocco, alleging that the article had been shipped from Mogador, Morocco, into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 28, 1928, Henry Heide, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, conditioned in part that it be re-sorted to separate the good nuts from the bad, and that the bad portion be destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

**15415. Misbranding of catsup. U. S. v. 699 Cases of Catsup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22317. I. S. No. 21100-x. S. No. 360.)**

On December 22, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 699 cases of catsup, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Greenbaum Bros., from Seaford, Del., on or about November 28, 1927, and transported from the State of Delaware into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "The Famous Royal Scarlet Brand Tomato Catsup. Made from selected red ripe tomatoes, spices, vinegar, sugar, salt, onions and garlic," (neck of bottle) "Royal Scarlet Catsup \* \* \* Natural Color No Preservative."

Examination of the article by this department showed that it contained artificial color.

Misbranding of the article was alleged in the libel for the reason that the statements, (neck label) "Royal Scarlet Catsup Natural Color," and (bottle label) "Tomato Catsup made from selected red ripe tomatoes, spices, vinegar, sugar, salt, onions and garlic," borne on the label, were false and misleading and deceived and misled the purchaser.

On January 28, 1928, Greenbaum Bros., Inc., Seaford, Del., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it wa